STAND. COM. REP. NO. 2983

Honolulu, Hawaii

MAR 2 0 2014

RE: H.B. No. 420

H.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 420, H.D. 1, entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE DISCLOSURE OF THE NAMES OF JUDICIAL NOMINEES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to require the Judicial Selection Commission to publicly disclose the names of all nominees to fill a vacancy in the Office of the Chief Justice, Supreme Court, Intermediate Appellate Court, Circuit Courts, or District Courts when presenting those names to the Governor or Chief Justice.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Judicial Selection Commission.

Your Committee finds that on November 15, 2011, the Judicial Selection Commission amended its rules to disclose the list of judicial nominees to the public at the same time the names are transmitted to the Governor or Chief Justice, as applicable, to appoint a justice or judge to fill a vacancy on the state bench. This measure adopts this rule change by amending the Hawaii State Constitution to explicitly require the disclosure of the names of

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the judicial candidates, thereby increasing the transparency of the judicial selection process.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 420, H.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

The Senate Twenty-Seventh Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

	mmittee Referral: Date: 3/11/14			
The committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	V			
SHIMABUKURO, Maile S.L. (VC)				V
GABBARD, Mike				
GALUTERIA, Brickwood				V
IHARA, Jr., Les				V
SOLOMON, Malama	V			
SLOM, Sam	V			
TOTAL	4			3.
Recommendation:				
Adopted Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes